

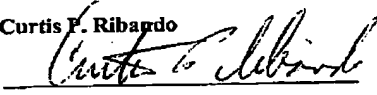
FACSIMILE TRANSMISSION**RECEIVED
CENTRAL FAX CENTER****OCT 21 2005**

USDA-ARS-OTT
Western Regional Research Center
800 Buchanan St.
Albany, CA 94710

CERTIFICATE OF TRANSMISSION

Date: October 21, 2005

I hereby certify that this paper or fee is being facsimile transmitted
to the USPTO, 571-273-8300, on the date indicated above.

Depositor's Name: **Curtis P. Ribando**Depositor's Signature: 

Date: October 21, 2005

NAME/ADDRESS: Medina A. Ibrahim Art Unit: 1638
571-273-8300
U.S. PATENT & TRADEMARK OFFICE

FROM: Curtis P. Ribando
Patent Advisor

SUBJECT: Supplemental Response
US Patent Application Serial No. 10/647,268
Filed: August 20, 2003
Inventor(s): Teruko Osumi et al.
Entitled: "*Solanum Bulbocastanum* Late Blight
Resistance Gene and Use Thereof"

TOTAL # OF PAGES INCLUDING THIS SHEET: 3**CORRESPONDENCE BEING FACSIMILE TRANSMITTED:**

Facsimile Cover Sheet; Amendment (2 pages); Certificate of Facsimile
Transmission

IMPORTANT/CONFIDENTIAL: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the Office of Technology Transfer, USDA-Agricultural Research Service, which may be privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at the telephone number listed below.

**IF FOR ANY REASON YOU DO NOT RECEIVE ALL PAGES,
PLEASE CALL ASAP (309) 681-6512**

**RECEIVED
CENTRAL FAX CENTER****OCT 21 2005**

P.C. 0155.02

PATENT**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re application of)
Teruko Osumi et al.) Confirmation No. 2068
Souanum Bulbocastanum Late Blight) Group Art Unit 1638
Resistance Gene and Use Thereof) Examiner M.A. Ibrahim
Serial No. 10/647,268)
Filed August 20, 2003)

The Honorable
The Commissioner for Patents
Sir:

Supplemental Response

This response is supplemental the response filed on
August 16, 2005.

REMARKS

Claims 1-9 and 11-15 are now in the case.

Claims 1-9 and 11-15 are presented for examination.

Claim 10 has been canceled.

No claim has been allowed.

Pursuant to the telephonic conference with the
Examiner on October 20, 2005, Applicants hereby provide
assurance that the conditions of the Budapest Treaty have
been met regarding plasmids pBT1596 and pBT1593. **THE**